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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,634	10/091,634 02		James Richard Mock SR.	117P60US01	9156
23322	7590	12/13/2005		EXAM	INER
IPLM GRO	-			PATEL, NIHIR B	
POST OFFIC				ART UNIT	PAPER NUMBER
	•			3743	

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		SP
	Application No.	Applicant(s)
	10/091,634	MOCK ET AL.
Office Action Summary	Examiner	Art Unit
	Nihir Patel	3743
The MAILING DATE of this communication	appears on the cover sheet	with the correspondence address
Period for Reply	DIVIO OFT TO EVOIDE A	MONTHES OF THEFTY (20) DAYO
A SHORTENED STATUTORY PERIOD FOR RE WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFF after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by standard patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUN R 1.136(a). In no event, however, may riod will apply and will expire SIX (6) Mo atute, cause the application to become	IICATION. a reply be timely filed DNTHS from the mailing date of this communication. ABANDONED (35 U.S.C. § 133).
Status		
1)⊠ Responsive to communication(s) filed on <u>S</u>	eptember 29 th , 2005.	
<u> </u>	This action is non-final.	
3) Since this application is in condition for allo		
closed in accordance with the practice und	er <i>Ex par</i> te Quayle, 1935 C	.D. 11, 453 O.G. 213.
Disposition of Claims		
4) ☐ Claim(s) is/are pending in the applic 4a) Of the above claim(s) is/are withen 5) ☐ Claim(s) is/are allowed. 6) ☒ Claim(s) 19-22 and 27 is/are rejected. 7) ☒ Claim(s) 2-5, 7-18 and 23-26 is/are objected. 8) ☐ Claim(s) are subject to restriction and	drawn from consideration. ed to.	
Application Papers	iaror diodadii roquilomenii	
9)☐ The specification is objected to by the Exan	niner.	
10)☐ The drawing(s) filed on is/are: a)☐		
Applicant may not request that any objection to		
Replacement drawing sheet(s) including the contain. The oath or declaration is objected to by the		
Priority under 35 U.S.C. § 119		·
12) Acknowledgment is made of a claim for fore a) All b) Some * c) None of: 1. Certified copies of the priority docum 2. Certified copies of the priority docum 3. Copies of the certified copies of the priority docum application from the International Bu * See the attached detailed Office action for a	nents have been received. nents have been received in priority documents have be reau (PCT Rule 17.2(a)).	Application No en received in this National Stage
Attachment(s) 1) Notice of References Cited (PTO-892)	4) ☐ Intervie	w Summary (PTO-413)
2) Notice of National Control of the Control of the Control of National Control of Cont	Paper N	lo(s)/Mail Date If Informal Patent Application (PTO-152)

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DETAILED ACTION

Response to Arguments

Applicant's arguments, see the filed appeal brief, filed on September 29th, 2005, with respect to claims 2-5 and 7-22 have been fully considered and are persuasive. The previous office action of May 17th, 2005 has been withdrawn. The prosecution is reopened.

Allowable Subject Matter

Claims 2 through 5, 7 through 18 and 23 through 26 are allowed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 19 through 22 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelli et al. ('193) in view of Schaub ('331). Referring to claims 19 through 22 and 27, Nelli discloses the applicant's invention as claimed with the exception of disclosing the use of cyanuric acid. It is well known in the art that cyanuric acid is frequently utilized as a stabilizer for the chlorine used to sanitize swimming pools (see applicant's disclosure pages 1 and 2). Schaub discloses a dispenser to dispense chemicals, such as cyanuric acid into swimming pools (see abstract). The float dispenser floats on a swimming pool and carries a tablet, which dispenses into the water. Schaub teaches that the tablet used in the dispenser may comprise cyanuric acid compound (see

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column 4 lines 40-45). Therefore it would have been obvious to modify Nelli's invention by dispensing cyanuric acid in order to stabilize chlorine in a swimming pool.

Nelli also fails to disclose a bag that is replaceable. Schaub discloses a dispenser to dispense chemicals that does provide a bag that is replaceable. Therefore it would have been obvious to modify Nelli's invention by providing a replaceable bag in order to enable a user to reuse the device.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nihir Patel whose telephone number is (571) 272-4803. The examiner can normally be reached on 7:30 to 4:30 every other Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Bennett can be reached on (571) 272-4791. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nihir Patel December 8th, 2005

Pennett Pent Examiner